

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRANK PANACCI,
Plaintiff,
v.
DANA BURKE, et al.,
Defendants.

Case No. [20-cv-00174-JD](#)

**ORDER ADOPTING REPORT AND
RECOMMENDATION, AND
REMANDING CASE**

Re: Dkt. No. 9

The Court has reviewed Magistrate Judge Laurel Beeler's report and recommendation. Dkt. No. 9. No objections have been filed in response to the report, and the time to file objections has expired. *See* Fed. R. Civ. P. 72(b). Plaintiff has filed a motion to remand, effectively echoing the Magistrate Judge's recommendation. Dkt. No. 12.

The Court agrees with Magistrate Judge Beeler's well-reasoned report and recommendation, which found that there is no federal subject matter jurisdiction over this unlawful detainer action. The Court consequently adopts the report and recommendation in full, and orders this case remanded to the Superior Court of California for the County of Alameda. Plaintiff's request for fees under 28 U.S.C. § 1447(c) is declined. Dkt. No. 12 at 9.

IT IS SO ORDERED.

Dated: April 3, 2020



JAMES DONATO
United States District Judge